



THE ATTORNEY GENERAL
OF TEXAS

JIM MATTOX
ATTORNEY GENERAL

July 27, 1990

Mr. Hugh W. Davis, Jr.
Assistant City Attorney
City of Fort Worth
1000 Throckmorton
Fort Worth, Texas 76102

OR90-345

Dear Mr. Davis:

On April 2, 1990, the City of Fort Worth received a request under the Texas Open Records Act for all bid proposals in a certain contracting procedure. You contacted all "proposers" and learned that only ENRAC Division of Chemical Waste Management, Inc., wished to assert that some or all of its information was excepted from disclosure by section 3(a)(10) of the Open Records Act. You took no position on the question and requested a decision on this matter. Your request was assigned ID# 9379.

We wrote to ENRAC Division of Chemical Waste Management, Inc. on June 21, 1990, advising them of the Open Records request you received and of the necessity under section 7(c) of the act that they establish that the requested information was within an exception in section 3(a) of the Open Records Act. We informed them that if they did not respond within ten days of receiving the letter, we would direct the City of Fort Worth to disclose the requested information. See Open Records Decision No. 363 (1983). We have received no response from ENRAC. Accordingly, you must release this information to the member of the public that requested it.

Because prior published open records decisions resolve your request, we are resolving this matter with this informal letter ruling rather than with a published open records decision. If you have questions about this ruling, please refer to OR90-345.

Yours very truly,

A handwritten signature in cursive script that reads "Susan Garrison".

Susan Garrison
Assistant Attorney General
Opinion Committee

SG/le

Ref.: ID# 9379

Enclosure: Open Records Decision No. 363

cc: Dr. Robert Foye
ENRAC Division - South
Chemical Waste Management, Inc.
515 W. Greens Road, Suite 400
Houston, Texas 77067

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Marketing Director
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